

DATE: 10/05/2006

Dep & Ref

In re Patent Application of

Atty. Ref.: 36-1542

PRESTON

TC/A.U.: 2626

Serial No. 10/089,445

Examiner: S. McFadden

Filed: March 29, 2002

Confirmation No.: 6964

For: METHOD AND APPARATUS FOR PROCESSING
QUERIES

* * * * *

October 5, 2006

Mail Stop 16
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR REFUND OF ERRONEOUSLY CHARGED FEES

On August 3, 2006 the undersigned paid issue fees in this case using an American Express account. The Notice of Allowance indicated only \$1400.00 fee was due. Because advanced copies were also requested, the total charge authorized for the American Express Account was \$1430.00.

Now, however, records from the American Express Account indicate that the U.S. Patent and Trademark Office on August 5, 2006 erroneously charged the American Express Account for \$1730.00. This charge was not only unauthorized, it was erroneous because there was no publication fee indicated as due in this matter on the Notice of Allowance. The charge made to the American Express Account indicates that it was an extra \$300.00 publication fee.

36-1542

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PRESTON
Serial No. 10/089,445

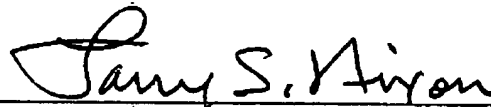
This firm does have a standing authorization to charge fee deficiencies to our USPTO Deposit Account. We do not have any standing instructions for charging fee deficiencies to our American Express Account. It is not understood how the USPTO could have charged three hundred more dollars to the American Express Account than was authorized in the American Express Account signed by the undersigned and submitted to the USPTO on August 3, 2006.

In any event, the extra charge of \$300.00 is clearly erroneous and return of same as soon as possible is respectfully requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



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 Closing Date
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Activity Continued

				Reference Code	Amount \$
08/04/06	US PATENT TRADEMARK 571-2726500 10408089 GOVERNMENT SERVICES GOVERNMENT SERVICES ROC NUMBER 2433	VA 08/02/06		00010408089	1,712.00
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